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Diversité
des expressions
culturelles

**INTERGOVERNMENTAL COMMITTEE
FOR THE PROTECTION AND PROMOTION OF THE DIVERSITY
OF CULTURAL EXPRESSIONS**

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UK Coalition for Cultural Diversity

UKCCD SUBMISSION TO THE INTERNATIONAL FEDERATION, IFCCD
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Much of this material is drawn from submissions by the BBC and pan-European organisations, SAA, FERA, FSE to the European Green Paper, Preparing for a fully converged audiovisual world; Growth, Creation and Values *http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2013:0231:FIN:EN:PDF*

A - Key points on Public Sector Broadcasting

1. Provision of Local Content

Public Sector Broadcasting is the main driver for diversity and local content in the UK and the rest of Europe. We are not aware of any evidence that commercial players alone and without regulatory frameworks can deliver diversity of cultural expressions either before or after full media convergence.

To safeguard and promote diversity of cultural expressions in a convergence era, it is the quality of local content which is critical. In the UK there is evidence that viewing figures have held up for UK originated material because it offers high production and research values relevant to the needs of its audience.

In the future, regulation and national cultural policy has a key role in managing the convergence environment and to evolve strategies to sustain the ongoing production of local content. There is no evidence that the free market can deliver the existing levels of high quality content.

In the UK, PSBs are responsible for 90% of investment in UK originated programming and the PSBs channels attract the majority of audiences even on pay platforms. EBU research has also found that the BBC offers the highest level of original programming (whether in-house or commissioned) in Europe.
In comparison to BSkyB, whose revenues increased by 60% between 2007 and 2012 and who operate with an income of £5.5 billion, the BBC survives on a £3.7bn liense fee and carries many obligations for the provision of services beyond programme production. (Screen Digest Zenith Optimedia 2012)

Even when pledges from commercial providers are factored in, industry forecasts suggest the UK PSBs will still be responsible for approximately 80% of UK original programme investment by 2016.

"Overall, the single biggest intervention in favour of investment in a diverse range of EU content is therefore ongoing support for PSB. There exists a virtuous circle between PSB content investment, its universal availability and findability on different platforms, and its widespread consumption. Measures to future-proof the availability and findability of PSB content support content investment."
BBC Submission, Point 17

2. Accessibility

The BBC is delivered through Digital Terrestial Television (DTT) which is the only platform offering low cost universal access to PSB which is also subscription free.
Ofcom determined that there was little prospect of cable, satellite or IPTV being a viable alternative to DTT until at least c. 2030.[1]

Best practice in relation to users with disabilities – sight or hearing impairment - should be standardized to ensure equal access across platforms. Providers of both content and services should be expected to support subtitled programming, audio description and sign language and across devices such as mobile, tablet, set-top boxes etc In the UK the BBC leads in providing these services although other PSB providers have some of these facilities.

3. Research and Development

Keeping up with the challenge of evolving systems and regulatory frameworks is essential to safeguard the aims of the Convention, 2005 in the future. The BBC is the principal driver in partnering with government in the interests of maximum access and diverse local programming that serve all citizens.
BBC knowledge transfer and partnership is evident in its contribution to trade and standards bodies from DTG, EBU, NEM, MPEG, HbbTV and Digitag to DVB, ETSI and W3C. The BBC also helps represent organisations in the ITU. BBC R&D has helped develop the standards behind advances as diverse as analogue (eg Teletext, Nicam) and digital TV (eg DVB-T2, subtitles, audio description) and most recently the HEVC compression standard. BBC R&D is an active contributor towards the development of Internet standards.
(BBC Report – 19)

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[1] November 2012 statement, *Securing long term benefits from scarce low frequency spectrum.* http://stakeholders.ofcom.org.uk/binaries/consultations/uhf-strategy/statement/UHF_statement.pdf%20

4. Training and Media Literacy

It is recognised that strategies to develop media literacy are as important as literacy in a world where most young people receive news and information through audiovisual means. Public Service Broadcasters, together with several publicly funded organisations delivers training and audience development strategies not offered by commercial providers. These are targeted at adult, youth and child audiences and are essential to develop the appreciation of diversity of expressions in support of Article 10 and Article 13 of the Convention, 2005.

The BBC has its own Media Literacy Strategy. This aims to inform audiences on digital developments/technologies, and to help audiences of all ages to gain media literacy skills and the confidence required to play a role in today's environment

(BBC Report, 47)

5. Funding

It is important that policy should sustain a dual system of public and commercial players.

It should also ensure that all players in the commercial sector, linear and non-linear, contribute proportionately to funding for locally originated content, research development and monitoring of the converged, internet environment.

The value of video on demand sales on the internet has been estimated at $750 billion worldwide. Much of this value is created by pornography and much is user-generated rather than of high production value, or national content. However, it is significant that it is estimated that less than 2% of these enormous revenues reach the producer, let alone the artist.

This reflects a situation where the main players in internet development are able to profit without any significant return, and very limited control given the global nature of operations. A situation where the internet industries benefit from virtually free access to raw material is not in the interests of diversity of cultural expressions.

6. Cooperation and Exchange

PSB has played a major role in incentivising local production in emerging economies both by contributing to funding packages for new work, and by offering a distribution platform. The promotion of film, drama, documentary and children's production plays a key role in the survival of fragile, local economies for the creative industries. It also ensures access to the widest diversity of world cinema and broadcast programmes which would otherwise be restricted to festivals and local markets.

B - Key Points on the impact of the Digital Technologies

1. Significance of PSB

There is a link between the role played by public sector broadcasting and its regulation and the achievement of the aims of the Convention in relation to digital technologies for the audiovisual sector. New services whether hard ware driven or OTT (Over the Top) services rely on professional content and long-term sustainability

Since audiovisual productions combine the input of all the other arts this sector acts as a key funding driver for the creative industries, thus safeguarding diversity of expression in this sector in the digital era is critical.

2. Extension of existing regulatory frameworks

In Europe in the era of Convergence, the AudioVisual Media Services Directive (AVMS) provides the fundamental regulatory framework applicable both to commercial and PBS services – excluding content generated outside the EU and user generated content.

The AVMS provides a toolkit of measures to support the aims of the Convention, 2005. In the event of conflict with other e-commerce directives it should be given primacy given the special characteristics of the media in providing information which facilitates the democratic life of citizens.
This is particularly relevant in free trade agreements such as the one currently under discussion with between the European Union and the United States. It also signals the importance for the Intergovernmental Committee to develop guidelines and to make full use of Articles 20 and 21 of the Convention.

In any extension of the existing framework it is important to be inclusive not only to refer to "broadcast or linear" but to television services. It is also important to consider extending the "must carry" option not just to operators and providers of an electronic communications network but also to operators/providers of services/facilities.

3. Visibility in convergence era

Any regulatory framework must ensure prominence or findability of PSB content in the changing internet environment.

Ongoing, active monitoring of filtering mechanisms is essential to check the impact on media plurality of new gatekeepers. Analysis in a recent report by the Reuters Institute [2] noted that 'digital intermediaries' such as search engines, aggregators and social media could: become distribution bottlenecks; distort future economic models; take editorial-like decisions; and influence the political agenda.

Any future regulatory framework needs to address this and to ensure prominence or findability of PSB content

4. Status of the artist in global, internet market

In last years a coalition has come together to challenge existing regulation and the principles of diversity of expression and fair access which underpin it . This coalition of interests includes

Google in search and aggregation
Amazon and Apple in sales and distribution
Apple and Samsung in devices
Advertisers
Internet Service Providers
Telecommunication companies
Digital rights activists

Amongst other objectives, this coalition of interests, all of whom command huge funds, seeks to achieve the following, all of which put in jeopardy the status of the artist on which diversity of cultural expression depends: a radical reform of copyright; no enforcement of Intellectual Property Rights on the internet; the abolition of private copying levies; less regulation for Connected TV which could threaten public service broadcasting and broadcast rules for local content, the protection of children and controls on advertising.

5. Distinctiveness of sectors

The regulatory frameworks need to address sector specific needs.
Given the high production value of film for example in relation to music, there are distinctive considerations. Production of European film depends on pre-sales based on exclusive rights related to different media platforms. Release windows differ depending whether the release is on DVD, Blu Ray, VOD, pay-TV, Free TV etc. So this requires a considered approach in the convergence context. Greater flexibility in release windows

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[2]https://reutersinstitute.politics.ox.ac.uk/fileadmin/documents/Publications/Working_Papers/News_Plurality_in_a_Digital_World.pdf

needs to be addressed in the context of funding obligations on all partners, on and off line, in order to achieve a sustainable, long term financial strategy for film production and distribution.

6. Safeguarding Access

Digital technologies are an enabler –potentially increasing engagement in theatre, museums, galleries, libraries and the heritage sector. This includes availability of digital catalogues, education and outreach activities including access to learning through streaming services, podcasts etc.

Ensuring universality of access and an inclusive approach, within an appropriate framework which respects copyright, advances the Convention's aims for exchange and cooperation

In the visual arts scene Artsy app offers a library of all the world's art, hosting world art on an equal footing. Projects such as this can potentially include African, Asian art and art forms which are arguably under considered at the international level (http://www.theguardian.com/culture-professionals-network/culture-professionals-blog/2013/oct/04/artsy-apple-iphone-app-ios-7)

Community programmes such as FACT in Liverpool engage vulnerable older people and adults in a programme around themes such as isolation, digital literacy, memory, cultural erasure with residents co-creating and c-producing film projects (http://www.theguardian.com/culture-professionals-network/culture-professionals-blog/2013/oct/23/tenantspin-fact-liverpool-arts-outreach)

The National Theatre uses podcasts to reach an audience who would not otherwise have the means to attend

Digital technology has enabled the circumvention of visa restrictions and set up a model for virtual production in theatre

Clout Theatre lost their director to visa issues and used Skype to enable her to direct the play from abroad (http://www.theguardian.com/culture-professionals-network/culture-professionals-blog/2013/oct/02/clout-theatre-skype-virtual-rehearsal

7. Extending Audiences for Diversity of Cultural Expressions

The added value of social media in enabling users to naturally create space for discussion and viral dissemination of ideas. E.g: twitter and use of hashtags to denote sense of community, involvement. Art organisations and individuals are now using this on a micro and macro level.

Further reference

Connectivity, Content and Consumers: Britain's Digital Platform for Growth Department Culture Media and Sport, London, July 2013
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225783/Connectivity_Content_and_Consumers_2013.pdf

The Communications Market, 2013, Ofcom, London 2013
http://stakeholders.ofcom.org.uk/market-data-research/market-data/communications-market-reports/cmr13/